



WASHOE COUNTY

"Dedicated To Excellence in Public Service"

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CM/ACM	<u>KS</u>
Finance	<u>DN</u>
DA	<u>✓</u>
Risk Mgt.	<u>N/A</u>
Comptroller	<u>MS</u>
Clerk	<u>CS</u>

STAFF REPORT BOARD MEETING DATE: October 13, 2015

DATE: September 15, 2015

TO: Board of County Commissioners

FROM: Bob Webb, Planning Manager, Planning and Development Division
Community Services Department, 328-3623, bwebb@washoecounty.us

THROUGH: William H. Whitney, Division Director, Planning and Development
Community Services Department, 328-3617, bwhitney@washoecounty.us

SUBJECT: Possible action to approve a State of Nevada Importer and Wholesale Dealer of Wine, Liquor and Beer License for Andrew Humphriss, dba A&J Distributors, LLC, and if approved, authorize each Commissioner to sign the State of Nevada *License Application for Importer and Wholesale Dealer of Wine, Liquor, and Beer* with direction for the County Clerk to attest the license application. (Commission District 2.)

SUMMARY

Review and approve the application for a State of Nevada Importer and Wholesale Dealer of Wine, Liquor and Beer License submitted by Andrew Humphriss, dba A&J Distributors, LLC.

Pursuant to NRS 369.180, 369.190, and 369.200 and Washoe County Code (WCC) Sections 30.3331 and 30.3335, the Washoe County Board of County Commissioners shall approve or disapprove applications to engage in business as an importer and wholesaler of intoxicating liquors in Washoe County.

Washoe County Strategic Objective supported by this item: Proactive Economic Development and Diversification.

PREVIOUS BOARD ACTION

No previous action.

BACKGROUND

Andrew Humphriss, dba A&J Distributors, LLC, applied for a State of Nevada Importer and Wholesale Dealer of Wine, Liquor and Beer License (see Attachment A) on August 24, 2015. Mr. Humphriss intends to distribute his intoxicating liquor within the unincorporated Washoe County from his business address located in the City of Reno. A Washoe County business license is not required from Mr. Humphriss, since his business office is located in the City of Reno; however, he is required to apply for a Washoe

AGENDA ITEM # 502

County Importer/Wholesaler Intoxicating Liquor license to distribute intoxicating liquor within the unincorporated County. Mr. Humphriss applied for his required County liquor license on August 24, 2015. The County liquor license application file is available for the Board's review if needed. Staff will not issue the County liquor license until after the Board approves the State liquor license application.

Mr. Humphriss intends to operate his business from a warehouse located at 5301 Longley Lane, Building F, Suite 208 in the City of Reno. Washoe County Code Compliance staff visited the business location on September 14, 2015, and verified that the location appears suitable to house an importer/wholesaler business.

Mr. Humphriss applied for his required City of Reno general business license and liquor license. As part of Reno's license application process, the City's planning staff reviewed the location of the proposed business and determined that the existing City of Reno zoning for the property supports this type of business use (wholesale distribution only; no manufacturing; no on-site tasting; and, no retail sales). The City of Reno will not issue their business and liquor licenses until after the State of Nevada's liquor license has been approved and issued.

The separate County Importer/Wholesaler Intoxicating Liquor license requires a criminal history inquiry pursuant to Washoe County Code (WCC) Section 30.3333, which was submitted to the Washoe County Sheriff's Office on August 27, 2015. A criminal history inquiry is required on all officers of the company, which includes Mr. Humphriss (President) and Robert Gardner (Vice-President). The Sheriff's Office returned the criminal history investigation results on September 10, 2015. There is no disqualifying information on either Mr. Humphriss or Mr. Gardner of which the County is aware. Consequently, staff has determined that the applicant and officer of the company are suitable to hold the license under the provisions of WCC Section 30.160.

NRS 369.190(3) and WCC Section 30.160(1)(b)(1) specify that the Board "require satisfactory evidence that the applicant is a person of good moral character" when reviewing and approving a State of Nevada Importer and Wholesale Dealer license application. Both Mr. Humphriss and Mr. Gardner completed the required *Liquor License Personal History* form and replied in the negative to any criminal convictions in the past 10 years or to any revocations of either a liquor license or work permit. Mr. Humphriss completed the required *Child Support Compliance Statement/Exemption Form* and stated that the business is exempt from the provisions of the State Welfare Reform Act for the support of a child since the business is a Limited Liability Company (LLC).

Based on the information provided on these two forms, staff has determined that the applicant and officer of the company are of "good moral character" and are suitable to hold the State of Nevada Importer and Wholesale Dealer license under the provisions of State Law and County Code. Copies of both sets of forms contain personal information, so are not included in this staff report but are available to the Board upon request.

FISCAL IMPACT

The applicant paid the required \$300 Washoe County Importer/Wholesaler Intoxicating Liquor license fee (deposited in Washoe County liquor license revenues account number C105402-421200). This fee also provides for the Board review of the State liquor license application. The quarterly Importer/Wholesaler Intoxicating Liquor license fee is \$300, which equates to projected annual revenue of \$1,200 from A&J Distributors, LLC (quarterly fees are also deposited into account number C105402-421200).

RECOMMENDATION

It is recommended that the Board approve a State of Nevada Importer and Wholesale Dealer of Wine, Liquor and Beer License for Andrew Humphriss, dba A&J Distributors, LLC, and if approved, authorize each Commissioner to sign the State of Nevada *License Application for Importer and Wholesale Dealer of Wine, Liquor, and Beer* with direction for the County Clerk to attest the license application.

POSSIBLE MOTION

Should the Board agree with staff's recommendation, a possible motion would be:

“Move to approve a State of Nevada Importer and Wholesale Dealer of Wine, Liquor and Beer License for Andrew Humphriss, dba A&J Distributors, LLC, and to authorize each Commissioner to sign the State of Nevada *License Application for Importer and Wholesale Dealer of Wine, Liquor, and Beer* with direction for the County Clerk to attest the license application.”

Attachments: A. State of Nevada License Application for Importer and Wholesale Dealer of Wine, Liquor and Beer License

xc: Andrew Humphriss, dba A&J Distributors, LLC, 2326 Primio Way, Sparks, NV 89434 (ajdistributors@hotmail.com)
Nancy Ravert, Nevada Department of Taxation, 1550 E. College Parkway, Carson City, NV 89706 (nravert@tax.state.nv.us)
Amber Drlik, Accounting Assistant, Reno Business License Division, City of Reno, PO Box 1900, Reno, NV 89505 (drlika@reno.gov)

LICENSE APPLICATION FOR IMPORTER AND WHOLESALE DEALER OF WINE, LIQUOR AND BEER

August 26, 2015

Honorable Board of County Commissioners:

Washoe County, reno Nevada
(City or Town)

In accordance with the provisions of NRS, Chapter 369, as amended, the undersigned hereby applies for a license for:
Importer and Wholesaler of Wine, Beer and Spirits

(Type of license(s) – see page 3)

In the State of Nevada, for the fiscal year ending June 30, 2016 a remittance covering the license fees from the 1st day of October, 2015 to the 30th day of June, 2016 is enclosed (not less than one quarter of a year).

The following information is also set forth: Federal EIN: 47-4361826

(1) Name of firm: A & J Distributors

(2) Doing business as: A & J Distributors

Located at: 5301 Longley Ln. bldg.F suite 208 Reno,Nv. 89411
(Physical Address)

Mailing address: 2326 Primio wy Sparks,Nv 89434 Phone: (775) 843-2361

(3) The applicant is:

(a) A corporation? Yes No Organized under the laws of what state? NV When? June 29, 2015

Qualified to do business in Nevada? Yes No When? June 29, 2015

Names and addresses of following officers:

President: Andrew Humphriss Managing Member

Vice President: Robert Gardner Managing Member

Secretary: _____

Treasurer: _____

Manager(s) _____

Resident Agent: Tiffinay Pagni

(b) A partnership? Yes No Is agreement recorded? Yes No

Where? _____

Names and addresses and official position, if any, of partners

(c) Operating under a fictitious firm name? Yes No Is statement recorded? Yes No

Where?

Names, addresses and official positions, if any, of all persons interested in the business:

.....
.....
.....

(d) An individual? Yes No

(e) Has any individual who is interested, financially or otherwise, in the applicant's business, ever been convicted of a violation of Federal or any state liquor laws? Yes No

If so, furnish:

Name	Address Where convicted	When
.....	Choose Mo: 20
.....	Choose Mo: 20
.....	Choose Mo: 20

(f) Is any person listed on this import/wholesale application engaged in the business of manufacturing, blending or bottling of alcoholic beverages or retailing of alcoholic beverages? (see attached copy of NRS 597.210) Yes No

If so, what percent, name and location of business:

(g) Are all persons listed on this import/wholesale application aware of transactions between wholesalers, retail liquor stores; limitation on extension of credit to retailers listed on attached copies of NRS 369.485? Yes No

(4) References:

Name	Address
Mike Cleveland	185 Karnak Cr. Sparks, Nv. 89441
Lenwood Chesnut	260 Date Palm Sparks, Nv. 89434
Tiffinay Pagni	10560 Kenai Dr. Reno, Nv. 89521
Stan Sanders	3656 Val Verde Rd. Loomis, Ca.

(5) Has applicant a county license? Yes No A city or town license? Yes No

(6) At all times each importer shall keep on hand at a fixed place of business in Nevada, liquor of a wholesale value of at least \$1,000.00, pursuant to NRS 369.400.

Enter name and title of person signing form:
Robert Gardner

Signed Andrew W. Thompson
Title Managing Member

Remarks and recommendations by the County Commissioners:

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.....
.....

The application of
is hereby (approved) (disapproved) this..... day of.....20

Board of County Commissioners:

Chairman:
Member:.....
Member:.....
Member:.....
Member:.....

ATTEST:

....., County Clerk

SCHEDULE OF LICENSE FEES

The following is a schedule of fees to be charged for licenses:

Importer of wine, beer and spirits	_____	\$500.00
Importer of beer	_____	150.00
Wholesaler of wine, beer and spirits	_____	250.00
Wholesaler of beer	_____	75.00

NRS 369.310 License fees: Due dates; payment of proportionate part.

1. All license fees are due and payable on July 1 of each year. If not paid by July 15 of each year the license shall be canceled.
2. If any license is issued at any time during the year other than by July 15, the fee shall be for that proportionate part of the year that the licenser will be in effect, which in any event shall be for not less than one quarter of a year.
3. No license shall be dated other than on the first day of the month in which it is granted.